



Town of Amherst, New Hampshire
Office of Community Development
Building · Code Enforcement · Planning · Zoning · Economic Development

STAFF MEMO

CASE #: PZ18772-040924
MEETING DATE: April 17, 2024
CREATED BY: Nic Strong, Community Development Director
ZONING DISTRICT: General Office (GO) with Wetland & Watershed Conservation District (WWCD) and Aquifer Conservation & Wellhead Protection District (ACWPD) Overlays

APPLICATION DESIGNATION: Regional Impact
PLAN TITLE and DATE: Map 2 Lot 109 Site Plan Proposed Dental Office 108 Ponemah Road Amherst, New Hampshire Prepared For/Record Owner AZ Realty, LLC 12 Gilboa Lane Nashua, New Hampshire 03062
Scale: varies April 1, 2024

PROPERTY OWNER: AZ Realty, LLC
APPLICANT/AGENT: AZ Realty, LLC
Tom Zajac, PE, Hayner/Swanson, Inc.

MAP/LOT: Map 2 Lot 109
LOT SIZE: 2.001 acres
ROAD FRONTAGE: Ponemah Road
LOCATION OF PROPERTY: 108 Ponemah Road

PROJECT OVERVIEW:

- The applicant proposes to demolish the existing building/site and construct a new one-story, 8,883 +/- s.f. dental office along with associated site improvements.

REGIONAL IMPACT:

- Pursuant to NH RSA 36:56, I. "A local land use board... upon receipt of an application for development, shall review it promptly and determine whether or not the development, if approved, reasonably could be construed as having the potential for regional impact. Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact."
- Pursuant to NH RSA 36:55, "... 'development of regional impact' means any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:
 - I. Relative size or number of dwelling units as compared with existing stock.
 - II. Proximity to the borders of a neighboring community.
 - III. Transportation networks.

- IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
- V. Proximity to aquifers or surface waters which transcend municipal boundaries.
- VI. Shared facilities such as schools and solid waste disposal facilities.”.
- Pursuant to NH RSA 36:57, I. “Upon determination that a proposed development has a potential regional impact, the local land use board having jurisdiction shall afford the regional planning commission and the affected municipalities the status of abutters as defined in RSA 672:3 for the limited purposes of providing notice and giving testimony.”.
- Pursuant to NH RSA 36:57, II. "Not more than 5 business days after reaching a decision regarding a development of regional impact, the local land use board having jurisdiction shall, by certified mail, furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. The local land use board shall, at the same time, submit an initial set of plans to the regional planning commission, the cost of which shall be borne by the applicant."
- **Board to discuss if a regional impact is identified.**

PLANNING BOARD OPTION(S):

- The Board could consider whether this application meets regional impact and requires notification of additional entities in advance of the public hearing of this item at the Planning Board’s May 1, 2024, meeting.

NS/

4/12/24